

Village of Rhinebeck Board of Trustees
Minutes July 11, 2017
7:00 PM

Present: Mayor Gary Bassett, Deputy Mayor Ric Lewit, Trustees Brant Neuneker and Howie Traudt and also present: Joel Tyner, Karen P. McLaughlin, Village Treasurer and Victoria from PANDA.

The mayor opened the meeting at 7:00 pm with the Pledge of Allegiance and announced the passing of John McGuire, a fire fighter. He shared John's eulogy and John McGuire was always Service before self. The mayor thanked him for all he did his community.

County Legislator Joel Tyner addressed the village board regarding Dutchess County issues. He started with good news creating a DC special needs transportation task force and that it passed unanimously. Mr. Tyner presented a letter and urged the board to read it, and he announced a Forum "Imagine Rhinebeck" to discuss local issues to be held on July 27th at 5:30 pm at the Town Hall. He discussed many issues he supports and urged people to attend the forum.

Hudson Solar- President and owner Jeff Irish discussed community solar. He stated he installed the first solar system on my barn in 2002, now there are thousands of them, and that the installation is hard to do in the Village because of the trees. He stated that they are holding free information sessions, and applauded the Village of Rhinebeck for including solar in their updated zoning code, and passed out a flyer to the Board.

Peddling / Solicitation Permit

Motion: Mayor Bassett: To open the public comment regarding the Peddler's Permit hearing at 7:20pm.

Second: Deputy Mayor Lewit

Mayor Gary Bassett:	Yes
Deputy Mayor Richard Lewit:	Yes
Trustee Howard Traudt:	Yes
Trustee Brant Neuneker:	Yes

The mayor read a summary of the application/license for a peddlers permit to sell goods via trucks, walking etc. Going forward we would like them to have a badge, be identified, have a background check. He went through the requirements from page 1 of the application, as well as the changes in fees to \$125 a year per vehicle, \$50 per month or \$500 per year.

Jay Dorn asked what criteria would determine yes or no. The criteria are established in the law already, mainly just setting fee and being more descriptive of the law.

Motion: Mayor Bassett: To close the public comment regarding the Peddler's Permit hearing at 7:20pm.

Second: Deputy Mayor Lewit

Mayor Gary Bassett:	Yes
Deputy Mayor Richard Lewit:	Yes
Trustee Howard Traudt:	Yes
Trustee Brant Neuneker:	Yes

Motion: Mayor Bassett: To open the Peddler's Permit hearing.

Second: Deputy Mayor Lewit

Mayor Gary Bassett: Yes
Deputy Mayor Richard Lewit: Yes
Trustee Howard Traudt: Yes
Trustee Brant Neuneker: Yes

Trustee Traudt asked how this would affect Sinterklaas. Mayor Bassett stated that Sinterklaas does not authorize the selling of any food, so if it was done without a permit, action would be taken. Trustee Neuneker asked the attorney if we needed to include the application in the law. Ms. Gellen stated that you may want to say that the fees can be changed from time to time and changed by resolution as the fee is stated by section 85. Trustee Neuneker suggested the following changes to the application: where a request for Drivers license is add or other valid identification; item 9- remove the request for social security number: Item 4 & 6 Replace the word Sponsor with applicant.

Patrick Glenn, resident asked about a nuisance or noise fee if there is a peddler that is going on as he works from home and it is outside his home. Trustee Neuneker stated that is addressed in the noise ordinance and Ric stated that a peddler can only be stationary for 10 minutes and there are restrictions currently in place.

Motion: Mayor Bassett: To close the Peddler’s Permit hearing.

Second: Trustee Neuneker

Mayor Gary Bassett: Yes
Deputy Mayor Richard Lewit: Yes
Trustee Howard Traudt: Yes
Trustee Brant Neuneker: Yes

Motion: Mayor Bassett: To adopt the proposed Peddling and Solicitation Permit application as presented with the amendments as listed above.

Second: Trustee Lewit

Amended Motion: Trustee Neuneker: to Amend Chapter 83-5 of the Village Code by removing language and to say: “The fees for peddling permits shall be established from time to time by resolution of the Board of Trustees. A schedule of the current fees is on file in the office of the Village Clerk”

Second: Trustee Lewit

Mayor Gary Bassett: Yes
Deputy Mayor Richard Lewit: Yes
Trustee Howard Traudt: Yes
Trustee Brant Neuneker: Yes

Abandonment of 90’ of road at 86 Livingston Street

Motion: Mayor Bassett: To open the public comment regarding the Abandonment of 90’ of road at 86 Livingston Street

Second: Trustee Neuneker

Mayor Gary Bassett:	Yes
Deputy Mayor Richard Lewit:	Yes
Trustee Howard Traudt:	Yes
Trustee Brant Neuneker:	Yes

Pamela Moren and Mr. Sharma- presented their proposed re-alignment. They have 3 lots that do not meet the zoning requirements, they have a primitive septic system they want to move and the highway also puts snow at the end of the road which blocks access to their barn. People that turn in there accidentally have to back all the way out. They are requesting to put a 20 x 20 for the snow, and they want approval to do a lot line adjustment to combine their lots. They have a letter from the Reformed Dutch Church that they would lease that portion of land from them. They have a track record of historic renovation on their other properties, and plan to do a very good job.

Lisa Cobb- described the series of lots. The road is a road by use not an official road. She stated that it is a very narrow dead end road.

Jay Dorn- asked what the intention of the property and how it stays in the character of the village.

Donna Warner- resides at 23 Beech Street and is an abutter of the property. I was not consulted in the proposal and presented some written comments. She asked Attorney Replansky to address some of her legal concerns. She presented a schematic drawing. She understands abandonment should be well thought out and not a hasty decision, it takes time. All users and uses should be taken into consideration. Many service providers use this road. Other users are walkers and bikers. This is a very quiet area. Issues at the point of abandonment: it is 14 ft wide, the area has limited maneuverability. It is a very tight area. Closing it could cause a log jam at my property. She is concerned about the increase of use going back to that area. The snow pad may get in the way of my driveway and the paved pad is transferring the snow removal from one resident to another resident. The proposal is premature and the future use is currently unknown. The 86 Livingston Street has always been a single family residence. Ms. Warner asks the board to deny this request or further research. Written comments are on file in the Village Clerk's office.

Attorney Warren Replansky- attorney for Donna Warner explained that it is not actually abandonment as it is the discontinuance of the road and submitted a letter which is on file in the Clerk's office. Once it becomes a user road, the user road status was established in the early 1920's as a road for the Dutch Reformed Church. It's clear that it is a user road. Replansky explained that road is used by the village for snow storing and plowing has been well established. Mr. Replansky stated that Village has control of the streets. Once a public highway is opened it can only be closed by local law and have a public hearing they have to show that it has no use to the public. The useless test has a pretty heavy bar for a municipality to establish and the road cannot be discontinued to benefit a private property owner. It is probably unconstitutional to aid a private property owner. It may not be closed by the village as per the useless doctrine. Additionally, before you can take action, it would be subject to SEQR review. The village would have to take a look at the environmental concerns. What is the impact of combining the lots, impact on fire protection, ambulance, police, parking and traffic, etc.? It may make a bad situation worse, and the impact of community character. Mr. Replansky doesn't think the board should take action, and suggested the village consult their counsel as this sets a precedent; there are a lot of roads like this.

Robbie Puglisi- resident of 25 Livingston Street presented a letter which she read in the minutes and is on file in the Village Clerk's office. Ms. Puglisi discussed the snow pad, lack of signage, historic character, and would like to know the current owners plans of the combined lots.

Dod Crane- resident of 78 Livingston Street, asked why you would give up a road you may need in the future to possibly attach Starr road. Also there could be a lawsuit if the village does this for the benefit of a private owner, with the combining of the lots it could turn into multi-family rental units.

Attorney Lisa Cobb- stated that as the public comment will be held open and she would like to see John Fenton come to the next meeting to address these issues. She stated that any improvement or change would not be at the expense of the village.

Dod Crane- commented on Attorney Lisa Cobb's recap. He said there is not guarantee what they will do with the property once this lot line is granted and that you cannot assume what could be built there with special permits and the potential is 2 family dwelling.

Pamela Moren and Mr. Sharma- stated that they do historic renovations. He explained that if they were to consolidate, they would make adequate parking. He also said they would look at the cost of SEQR. Pam stated that there are a lot of misconceptions of what is being proposed and they are not trying to do a land grab, the planning board suggested they proceed in this manner to move the septic system to the vacant lot and it is much more complicated. She explained that they are not putting rentals in; they are downsizing and want to make a nice quiet place.

Donna Warner- again commented by saying that what they did not do was talk to me about the effect on my property and my parking issues. She stated that there is a lot of stuff on Ms. Moren's vacant property and a garage sale would be difficult due to logistic issues.

Renee Schmitt- his parents bought the property next to the red barn, who would like to know your intentions on the property. They are in their 70s and have access to walk to the village.

Dod Crane- The property to the east of the property the Schmitt's bought, and both properties may need access to the road in the future.

Christopher Tavener - resident of 41 Lorraine Drive asked if their plans be realized with an easement for the septic system.

Motion: Mayor Bassett: To close the public comment regarding the Abandonment of 90' of road at 86 Livingston Street

Second: Trustee Traudt

Mayor Gary Bassett:	Yes
Deputy Mayor Richard Lewit:	Yes
Trustee Howard Traudt:	Yes
Trustee Brant Neuneker:	Yes

Motion: Mayor Bassett: To open the public hearing regarding the Abandonment of 90' of road at 86 Livingston Street and to adopt all comments that were made in the public comment section into the record.

Second: Trustee Neuneker

Mayor Gary Bassett:	Yes
Deputy Mayor Richard Lewit:	Yes
Trustee Howard Traudt:	Yes
Trustee Brant Neuneker:	Yes

The Board discussed the case law regarding the discontinuing of a road and will review it with the Village Attorney.

Motion: Mayor Bassett: To keep the public hearing open regarding the Abandonment of 90' of road at 86 Livingston Street.

Second: Deputy Mayor Lewit

Mayor Gary Bassett:	Yes
Deputy Mayor Richard Lewit:	Yes
Trustee Howard Traudt:	Yes
Trustee Brant Neuneker:	Yes

DEPARTMENT REPORTS

Treasurer’s report- Treasurer McLaughlin presented the report the following as of June 30, 2017.
 Vouchers: General \$83,846.71; Water \$28,093.32; Sewer- \$21,548.68; Balance: Tax Collector \$1,439,464.93; General \$1,267,289.92; Water \$747,669.28; Sewer- \$741,729.24.

Motion: Mayor Bassett: To approve the Budget Amendments to the 2017-2018 Village Budget as listed in the Treasurer’s report and as reported by Treasurer McLaughlin.

Second: Deputy Mayor Lewit

Mayor Bassett:	Yes
Deputy Mayor Lewit:	Yes
Trustee Traudt:	Yes
Trustee Neuneker:	Yes

Motion: Trustee Traudt: To approve the Waste Water Adjustments for June as they have been reviewed and signed off by the wastewater liaison.

Second: Mayor Bassett

Mayor Bassett:	Yes
Deputy Mayor Lewit:	Yes
Trustee Traudt:	Yes
Trustee Neuneker:	Yes

Motion: Trustee Neuneker: To approve the Water Adjustments for June as they have been reviewed and signed off by the water liaison.

Second: Trustee Traudt

Mayor Bassett:	Yes
Deputy Mayor Lewit:	Yes
Trustee Traudt:	Yes
Trustee Neuneker:	Yes

The complete Treasurer’s report is on file in the Village Clerk’s office.

Police & Court- Mayor Bassett presented the police report as follows:

- Total # of Incidents- Town 28
- Total # of Incidents- Village 96
- Total # of Tickets- Town 43
- Total # of Tickets- Village 119
- Total # of Arrests 4
- Total # of Accidents 14

Fire Department- Mayor Bassett shared the loss of John Maguire. Mayor Bassett reported for the month of June 2017 there were a total of 92 Alarms –including: 26 fire calls, there were 58 EMS calls; there were also 8 motor vehicle accidents. The ambulance did not respond to 9 calls, therefore response percentage is 87%. New fire truck has been delivered to Garrison and we expect delivery in the next week or so.

Building/Planning/Zoning- Mayor Bassett reported in the month of June 4.5 CO searches were done \$450.00, 9 building permits \$5508.90, 1 Fire inspection \$75, 1 site plan application fees \$150, 1 special permit application fees\$150. The Board discussed projects before the Planning and Zoning departments. Trustee Neuneker discussed the proposed changes which we had the public hearing on, and believes another draft needs to be done and presented to the village residents.

Highway Department- Deputy Mayor Lewit reported- Sidewalk bid- West Market Street sidewalk was approved at the last meeting and will be underway soon. Astor and Montgomery sidewalk is scheduled for the week of August 7th. Deputy Mayor Lewit discussed the bids received for the paving of the Montgomery and Astor and they are waiting for a bid from the Town. The mayor proposes if need be a special meeting to award the bid when all bids are received.

Water Department- Trustee Neuneker presented the water report as follows: 13,589,000 gallons was treated. June 17th there was a power failure, as well as June 27th caused by storm which brought down trees causing the driveway to be blocked. Bryan Alix and Tony Fata returned and cleared the way. The new trainee Anthony Valenti started today July 11, 2017. The gas chlorine room has a leak and they have a bid for \$8429 from ES2(sole source), a very specialized repair to replace scale, 2 vac. regulators, switches and tubes and the chlorine alarm from ES2 which should solve the leak problem.

Motion: Trustee Neuneker: To approve the bid from ES2 for the chlorine room parts as described above

Second: Mayor Bassett

Mayor Bassett:	Yes
Deputy Mayor Lewit:	Yes
Trustee Traudt:	Yes
Trustee Neuneker:	Yes

Trustee Neuneker discussed that the Village needs a Bond resolution to complete the grant application and Brant wants to have a public meeting in 2 weeks with the engineer available and to talk numbers.

Motion: Trustee Neuneker: To approve hold a special meeting on July 25th at 7:00pm for the water improvement project Bond resolution and highway bid discussion.

Second: Trustee Traudt

Mayor Bassett:	Yes
Deputy Mayor Lewit:	Yes
Trustee Traudt:	Yes
Trustee Neuneker:	Yes

The Board discussed to authorize bond counsel to prepare a resolution but the cost is not determined.

Motion: Trustee Neuneker: To approve the use Orrick for bond and Munitstat for Financial Advisors.

Second: Trustee Traudt

Mayor Bassett:	Yes
Deputy Mayor Lewit:	Yes
Trustee Traudt:	Yes
Trustee Neuneker:	Yes

Wastewater Department- Trustee Traudt presented the monthly Waste Water Treatment Plant report as follows: the month of June 4.34 million gallons of waste water treated; 36,800 gallons of sludge processed; 4,787 lbs. of sludge processed. Trustee Traudt did a special public service announcement for the Village Green not to flush cloth rags down the toilets. Complete report is on file in the Village Clerk's office. Mayor Bassett discussed looking into doing a centralized alarm system jointly with the water and waste.

COMMITTEE REPORTS

Tree Committee- There were no application from the tree committee. Deputy Mayor Lewit suggested the village should look at our sidewalk code and how it affect the growth of trees. He is going to be working with the Tree Commission regarding the sidewalks.

Ethics Committee- Deputy Mayor Lewit discussed the interviewing of candidates with Trustee Traudt and they recommended Carol Urban, former state employee and did this kind of work; Gina Fox, she has Village and Town experience; and Walter Cotter, advisor at Frontier and active fire fighter. Deputy Mayor Lewit since they are filling vacancies, they will need to be filled at the next village year.

Carol Urban brought up that the ethics committee cannot participate or lobby in any election campaign; Deputy Mayor Lewit and Trustee Traudt thought it should say Town and Village of Rhinebeck election as it was excessive.

Motion: Deputy Mayor Lewit: To appoint Carol Urban, Gina Fox and Walter Cotter to the ethics committee.

Second: Trustee Traudt

Mayor Bassett:	Yes
Deputy Mayor Lewit:	Yes
Trustee Traudt:	Yes
Trustee Neuneker:	Yes

Discussion- The Board discussed the village code regarding participation in any election campaign and Mayor Bassett asked if they could change law and have them be members. Have the law posted 10 days before the public hearing and have the hearing on July 25, 2017.

Motion: Mayor Bassett: To appoint Carol Urban, Gina Fox and Walter Cotter to the ethics committee in lieu of will discussing the changing the Ethics Code and hold a public hearing on July 25th to amend the code to state that they cannot be involved in a Village or Town Election except as a candidate.

Second: Deputy Mayor Lewit:

Mayor Bassett:	Yes
Deputy Mayor Lewit:	Yes

Trustee Traudt: Yes
Trustee Neuneker: Yes

STR (Short –term vacation rentals) Committee- Trustee Neuneker the committee had a meeting to discuss room rental and short-term rentals. They will have another meeting in a week. Trustee Neuneker asked for the appointment of Josh Pulver, a member of the ZBA, to be on the committee.

Motion: Trustee Neuneker: To appoint Josh Pulver to the STR Committee in place of Donna Warner who had to step down due to time constraints.

Second: Mayor Bassett:

Mayor Bassett: Yes
Deputy Mayor Lewit: Yes
Trustee Traudt: Yes
Trustee Neuneker: Yes

Environmental Committee report- Mayor Bassett reported that they had their 1st meeting on July 6th, with the members consisting of Supervisor Spinzia, Dan Shapley, and Matt Stinchcomb. The committee discussed having vehicle charging station, a village bill of rights for water conservation, sustainability action plan and dealing with environmental issues. The goal of the committee is to be cognitive to environmental issues both locally and nationally. The next meeting in 2 weeks looking to invite an outside speaker that is going to launch a Google app called Dandelion. Dan Shapley was in to discuss water quality for the municipalities that draw their water from the Hudson River. The seven municipalities that obtain the water from the Hudson River are all discussing sea level rise and anchorages of barges along the Hudson River. Mayor Bassett also discussed a letter received from John Faso regarding the clean water initiative.

SPECIAL REQUESTS

Nicole McGrath, Pilates Instructor –

Motion: Mayor Bassett: To approve the request to use the Legion Park, Rockefeller Lane Entrance from 7-8am.

Second: Deputy Mayor Lewit

Mayor Bassett: Yes
Deputy Mayor Lewit: Yes
Trustee Traudt: Yes
Trustee Neuneker: Yes

OTHER BUSINESS

County-Wide Shared Services Summary- Mayor Bassett reported on the Supervisors and Mayors within the county participating on a shared service initiative, with the next governmental meeting July 18th. This shared services discussion involves cost saving areas that could benefit the Village. Examples are salt for the roads, paving materials, county highway equipment rental program, county electronic outreach system, bid proposal process based on collective bargaining, county motor vehicle repair.

Winnakee Land Trust- Mayor Bassett introduced Gregg Swanzey, ED for the Winnakee Land Trustee resolution by the municipality to endorse support of them applying for the funds for the proposal for a trails project to be located in the Village of Rhinebeck. This resolution is required for them to apply for the grant. There is no financial commitment to the village. Mayor stated that this is linking parts of our village for pedestrian traffic and is a great concept. The Town is going to pass a resolution but has an issue with them owning the cemetery which it will go by. They are working through some of the details. Mayor Bassett asked him to meet with the Planning Department, that meeting is set however he needs the resolution to proceed with the grant. The mayor explained where the 3 trails would connect into the village and possibly be part of the Empire State Trail system.

Motion: Mayor Bassett: made the motion listed below

Second: Trustee Traudt

Mayor Bassett: Yes

Deputy Mayor Lewit: Yes

Trustee Traudt: Yes

Trustee Neuneker: Yes

WHEREAS, the Winnakee Land Trust is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for grants under the Environmental Protection Fund and Recreational Trails Program for a trails project to be located in the Village of Rhinebeck, a site located within the territorial jurisdiction of this Board of Trustees; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved by this august body that the Board of Trustees of the Village of Rhinebeck hereby does approve and endorse the application by Winnakee Land Trust for grants under the Environmental Protection Fund and Recreational Trails Program for a trails project known as the Rhinebeck Village and Town Park Connections Project and located within this community.

July 11, 2017

DATE OF ADOPTION



Gary Bassett, Mayor

Telephone System- Mayor Bassett stated that Clerk Coon and himself had interviewed 8 companies, narrowed it down and has asked Superior Telephone to give us a quote. One of the key advantages is that it gives us the flexibility to return calls and it would come from the Village not their personal cell phones. There are many features. The Village looked at leasing however the purchase of the system is the best offer. \$13,196 is the bid quote, which is the same price as the NYS Contract bid price. It is over the \$10,000 we budgeted but there are some cost savings we can take advantage of. We also have a conferencing feature built into the quote.

Motion: Mayor Bassett: to accept the bid received from Superior Telephone for the village hall and outlying departments.

Second: Trustee Traudt

Mayor Bassett:	Yes
Deputy Mayor Lewit:	Yes
Trustee Traudt:	Yes
Trustee Neuneker:	Yes

The Board discussed the Time Warner Cable connection, type of service.

Amended Motion: Trustee Traudt: to accept the bid received from Superior Telephone for the village hall and outlaying department with the \$1129.42 conference capability removed.

Second: Trustee Neuneker

Mayor Bassett: Yes

Deputy Mayor Lewit: Yes

Trustee Traudt: Yes

Trustee Neuneker: Yes

DC Hazard Mitigation resolution plan-

Motion: Mayor Bassett: Made the motion as listed below

Second: Trustee Neuneker

Mayor Bassett: Yes

Deputy Mayor Lewit: Yes

Trustee Traudt: Yes

Trustee Neuneker: Yes

RESOLUTION JUNE 11, 2017
ADOPTION OF JURISDICTIONAL ANNEX TO
DUTCHESS COUNTY HAZARD MITIGATION PLAN

WHEREAS, the Village of Rhinebeck, has worked cooperatively with Dutchess County, with the assistance of Tetra Tech, Inc., in gathering information and preparing the Dutchess County Multi-Jurisdictional Hazard Mitigation Plan Municipal Annex (the Plan), a copy of which is annexed hereto, and

WHEREAS, the Dutchess County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000, and

WHEREAS, Dutchess County and The Village of Rhinebeck are units of government that have afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan, and

WHEREAS, Dutchess County and The Village of Rhinebeck has reviewed the Plan and affirms the Plan will be updated no less than every five years, and

NOW, THEREFORE BE IT RESOLVED, that this governing body approves and adopts the attached Dutchess County Hazard Mitigation Plan Municipal Annex as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions of the Plan.

July 11, 2017

DATE OF ADOPTION



Gary Bassett, Mayor

Minutes-

Motion: Mayor Bassett: To accept the May 25th, June 13th and June 27th 2017 minutes as presented.

Second: Deputy Mayor Lewit

Mayor Bassett: Yes

Deputy Mayor Lewit: Yes

Trustee Traudt: Yes

Trustee Neuneker: Yes

Correspondence- all correspondence is on file in the Clerk's office.

Rhinebeck Chamber- Claudia Cooley asking the village to consider loading zones for businesses in the village. This is all addressed when someone comes in to get a permit. Mostly its them not obeying the law. Howie stated that his company has been getting parking tickets for delivery trucks. The issue

becomes do the businesses want to lose parking spaces for zoning. This issue is tabled while they consult Sgt Dunn.

Cheryl Rifenburg- She is concerned about the speed on Montgomery Street. This has been addressed and Cheryl did thank the police department for their diligence,

John Faso- USCG proposed anchorages along the Hudson

Public Comment-

Ted Estrange- addressed the Board about China's living organ harvesting. Genesyde by scalpel, and that he condemns the forced Organ harvesting.

Motion: Mayor Bassett: Due to a conflict with the regular scheduled August meeting, the meeting is to be changed to August 15nd at 7:00pm.

Second: Deputy Mayor Lewit

Mayor Bassett: Yes

Deputy Mayor Lewit: Yes

Trustee Traudt: Yes

Trustee Neuneker: Yes

Motion: Mayor Bassett: With no further business to discuss to close the meeting at 10:45.

Second: Deputy Mayor Lewit

Mayor Bassett: Yes

Deputy Mayor Lewit: Yes

Trustee Traudt: Yes

Trustee Neuneker: Yes

Respectfully Submitted,

Karen P. McLaughlin
Village Treasurer

Patricia D. Coon
Village Clerk